Fast-Track Courts for environment disputes

1397. MS. PRAMILA BOHIDAR:
SHRI B.J. PANDA:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is proposed to set up new Fast-Track Courts to settle environment disputes;

(b) if so, the details thereof; and

(c) what are the details of such courts that are proposed to be set up in Orissa?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY): (a) to (c) No, Sir. There is no proposal to set up Fast Tract Courts to settle environment disputes. The Law Commission in its 186th Report had recommended setting up of Environment Courts for dealing with Environmental disputes besides having appellate jurisdiction in respect of appeals under the various Pollution Control Laws. With certain modifications, the recommendations of the Law Commission to establish Environment Tribunal for groups/States for effective and expeditious disposal of Civil Cases, where a substantial question of Environment Protection, including enforcement of legal rights relating to environment is involved, has been accepted. No such separate Tribunal is proposed to be set up in the State of Orissa.

Vacant posts of judges

†1398. SHRI K. CHANDRAN PILLAI:
SHRI MAHENDRA SAHNI:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of posts of judges lying vacant as on date in the Supreme Court/High Courts/District Courts including Sessions Courts;

(b) by when these posts are likely to be filled up; and

(c) the details of the norms to be followed to fulfil the vacant posts?

†Original notice of the question was received in Hindi.

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY): (a) to (c) The sanctioned strength of the Supreme Court is 26 Judges against which 24 Judges were in position as on 7.3.2007 leaving 2 vacancies to be filled up. Against a Sanctioned Strength of 686 Judges, 604 Judges were in position leaving 82 vacancies to be filled up as on 7.3.2007 in various High Courts.

Filling up of vacancies in the High Courts is a continuous consultative process among the constitutional authorities. While every effort is made to fill up the vacancies expeditiously, vacancies do keep arising on account of retirements, resignation or elevation of Judges.

After the Supreme Court Judgment of October 6, 1993 in the Supreme Court Advocates-on-Record & Anr. *Vs.* Union of India, read with their Advisory Opinion of October 28, 1998, the entire process of initiation of proposal for appointment of a Judge of the Supreme Court lies with the Chief Justice of India and for the appointment of a Judge of a High Court it lies with the Chief Justice of that High Court.

Under article 235 of the Constitution of India, the administrative control over the member of subordinate judiciary in the States vests with the concerned High Court and the State Government. Thus as regards the judge strength in the District and subordinate courts, the primary responsibility for taking necessary action for increasing the judge strength vests with the respective State Governments. Filling up of the vacant posts of judges/magistrates at the District and Subordinate Courts is the concern of the respective High Courts and the State Governments.

The Central Government has been periodically urging all the State Government/Union Territories and the High Courts to accord utmost priority to filling up of vacant posts of judges and magistrates.

As per available information, a statement indicating sanctioned posts of Judicial Officers and number of vacant posts in various States is enclosed as statement.

Statement

Judge strength at District/Subordinate Court level as on 01.01.2006

Sl. No.	Name of the State/UT	No. of sanctioned Post	No. of posts filled	No. of vacant posts
1	2	3	4	5
1.	Andhra Pradesh	807	768	39
2.	Arunachal Pradesh	293	293	0
3.	Assam	275	212	63
4.	Bihar	1163	691	472
5.	Chhattisgarh	235	218	17
6.	Goa	44	27	17
7.	Gujarat	826	787	39
8.	Haryana	307	230	77
9.	Himachal Pradesh	116	111	5
10.	Jharkhand	445	415	30
11.	Jammu & Kashmir	202	180	22
12.	Karnataka	811	673	138
13.	Kerala	418	395	23
14.	Madhya Pradesh	801	695	106
15.	Maharashtra	1492	1276	216
16.	Manipur	34	29	5
17.	Meghalaya	8	6	2
18.	Mizoram	34	18	16
19.	Nagaland	25	25	0
20.	Orissa	477	425	52
21.	Punjab	328	256	72
22.	Rajasthan	792	686	106
23.	Sikkim	13	10	3
24.	Tamil Nadu	757	727	30
25.	Tripura	75	61	14
26.	Uttar Pradesh	2172	1424	748
27.	West Bengal	706	596	110
28.	Uttaranchal	200	101	99
	TOTAL: (A)	13856	11335	2521

1	2	3	4	5
	Union Territories			
1.	Delhi	392	266	126
2.	Pondicherry	21	17	4
3.	Chandigarh	20	18	2
4.	Andaman & Nicobar Island	8	8	0
5.	Lakshdweep Island	3	2	1
6.	Daman & Diu	3	2	1
7.	Dadra & Nagar Havali	2	2	0
	TOTAL: (B)	449	315	134
	TOTAL: (A+B)	14305	11650	2655

Notaries in Gujarat

1399. SHRI VIJAY KUMAR RUPANI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that the population of Gujarat has been increasing rapidly;

(b) if so, whether the notarial works have also correspondingly increased; and

(c) if so, the steps taken for enhancement of quota of Notaries for Gujarat from 625 to 1000?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) Yes Sir.

(b) and (c) The Maximum no. of Notaries to be appointed by Central Government in the State of Gujarat are 625, out of which 238 Notaries have been appointed so far. In the year 2006, the State Government of Gujarat was asked for the requirement of the enhancement of the maximum number of Notaries to be appointed by the State Governments but no reply has been received.